



STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

July 21, 2017

Robert Menicocci,
Acting Agency Director
Santa Clara County Social Services Agency
333 West Julian Street, 5th Floor
San Jose, CA 95110

Dear Mr. Menicocci:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided to the reviewer from our office during the course of the Civil Rights Compliance Review of May 30 – June 2, 2017. Enclosed is the final report on the review.

There are some compliance issues (deficiencies) identified in the report, which will require the development of a Corrective Action Plan (CAP). Please submit your CAP within 60 days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the enclosed report.

Please submit your CAP in both hardcopy and, in an effort to comply with ADA website accessibility, we also require the CAP to be submitted electronically as a Word document via email at crb@dss.ca.gov.

We will provide a copy of your report to any individual who makes a valid Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it becomes a public document as well. In addition, these documents are published on our website at <http://www.cdss.ca.gov/civilrights/PG2890.htm>.

If you need technical assistance in the development of your CAP, please feel free to contact Daniel Cervantes at (916) 654-2107. You may also contact us by e-mail at crb@dss.ca.gov.

Sincerely,

Original signed by Tiffany Marsh

TIFFANY MARSH, Acting Manager
Civil Rights Unit
Family Engagement and Empowerment Division

Enclosure

c: Teresa Hayes, Civil Rights Coordinator

Kim McCoy Wade, Chief
CalFresh Policy Bureau

Carlos Ocampo, Chief
Field Operations Bureau

Tami Gutierrez, Chief
CalFresh Management Operations Section

Paul Gardes
CalFresh Policy Bureau

Jacqueline Hom
State Refugee Coordinator

Joe Torres, Office of Civil Rights
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Andrew Riesenbergs
USDA Food and Nutrition Services
Supplemental Nutrition Assistance Program (SNAP)
Western Region

Kevin Aslanian
Coalition of California Welfare Rights Organizations, Inc.

Antoinette Dozier
Western Center on Law and Poverty

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
Santa Clara County Social Services Agency**

**Conducted on
May 30 – June 2, 2017**

**California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
744 P Street, M.S. 8-16-70
Sacramento, CA 95814
(916) 654-2107**

**Reviewer:
Daniel Cervantes**

**Review Dates:
May 30 – June 2, 2017**

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess Santa Clara County with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted May 30 through June 2, 2017. An exit interview was held on June 2, 2017, to review the preliminary findings.

The review was conducted in the following locations:

| Name of Facility | Address | Programs | Non-English languages spoken by a substantial number of clients (5% or more) |
|--|--|--|---|
| Department of Employment and Benefit Services (DEBS) | 1867 Senter Rd San Jose, CA 95112 | CalFRESH CalWORKs | Spanish, Vietnamese |
| Department of Employment and Benefit Services (DEBS) | 1870 Senter Rd San Jose, CA 95112 | CalFRESH CalWORKs | Spanish, Vietnamese |
| Department of Employment and Benefit Services (DEBS) | 1879 Senter Rd San Jose, CA 95112 | CalWORKs CalWORKs Employment Services | Spanish, Vietnamese |
| In Home Supportive Services | 1888 Senter Rd San Jose, CA 95112 | IHSS | Spanish, Vietnamese |
| Children's Services | 373 W Julian St, San Jose, CA 95110 | Children's Services | Spanish, Vietnamese |
| Department of Employment and Benefit Services (DEBS) | 379 Tomkins Ct. Gilroy, CA 95020 | CalFRESH, CalWORKs, Children's Services | Spanish |

II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2016 Civil Rights Compliance Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.
- Reviewed the previous Compliance Reviews and Corrective Action Plans submitted by the county.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of civil rights coordinator
- Survey of program managers
- Case file reviews
- Facility inspections
- Discussion with community advocate groups. In this review there was no response from any community organization(s) contacted.

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Program Accessibility for Clients with Disabilities (physical, mental, learning, visual or hearing impairment, etc.)
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

| Classifications | Total | Bilingual |
|-------------------------|--------------|------------------|
| Eligibility Workers | 12 | 8 |
| Children Social Workers | 10 | 7 |
| Adult Program Workers | 6 | 5 |
| Receptionist/Screeners | 4 | 1 |
| Total | 32 | 21 |

Civil Rights Coordinator and Program Manager Surveys

| | |
|-------------------------------|---|
| Number of surveys distributed | 5 |
| Number of surveys received | 5 |

Reviewed Case Files

| | |
|--|--|
| English speakers' case files reviewed | 8 |
| Non-English or Limited-English speakers' case files reviewed | 65 |
| Languages of clients' cases | Farsi, Hindi, Spanish, Tongan, Vietnamese, Assyrian, Turkish, Portuguese, Tigrinya, Cambodian, Cantonese and Mandarin Chinese, Arabic |
| Reasonable Accommodation Cases | 3 |

Sections III through IX of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section X evaluates the county's Call/Service Centers services provided to non-English speaking clients and clients with a disability.

Section XI reviews the county's compliance plan, and provides either approval of the plan as submitted, or lays out additional information to be submitted to gain approval.

Section XII highlights issues pointed out by Community Input and summarizes Reviewer Observations.

Section XIII of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and Limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

| Access to Services, Information and Outreach | Yes | No | Comments |
|--|------------|-----------|--|
| Does the county accommodate clients by flexing/extending their hours or allowing applications to be mailed in? | Yes | | Workers make themselves available to clients upon request. Santa Clara County has staff available until 7pm or later depending on the client's needs. Several public services/benefits are available to the everyone online. |
| Can clients, including those with disabilities, access services when unable to go to the office? | Yes | | See comments above. Services can be accessed at https://www.sccgov.org/sites/ssa/Pages/ssa.aspx |
| Does the county ensure the awareness of available services for individuals in remote areas? | Yes | | The county has an extensive recruitment campaign via online/radio ads, social media, and other commercial advertising. They also send out mass mailings as a means of recruitment. |

| Signage, posters, pamphlets | Yes | No | Comments |
|--|------------|-----------|---|
| Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13 – 8/16)? | Yes | | |
| Is the pamphlet distributed and explained to each client at intake and re-certification? | Yes | | The PUB 13 pamphlet is given and explained as part of the intake and annual recertification process. |
| Is the current version of Pub 13 available in Arabic, Armenian Cambodian, Chinese, English, Farsi Hmong, Japanese, Korean, Lao Mien, Portuguese, Punjabi, Russian Spanish, Tagalog, Ukrainian, and Vietnamese? | Yes | | All office lobbies visited had the PUB 13 prominently displayed in the office's threshold languages. Other languages/versions of the PUB 13 were readily available at the reception window. |
| Is the Pub 13 available in large print (English and Spanish), CD, and Braille? | Yes | | See comments above. |
| Were the current versions of the required posters present in the lobbies? | Yes | | All PUB 13s were the most recent versions. All versions of the Pub 86 and AD 475B were also current. |
| Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages? | | No | Many signs throughout the county offices were not translated. All directional/informational signage must be in all threshold languages. |

B. Corrective Actions

| Informational Element | Corrective Action Required |
|---------------------------------------|---|
| Directional and Instructional signage | Santa Clara County shall ensure that instructional and directional signs are posted in waiting areas and other places that are frequented by clients and that where such areas are frequented by a substantial number of non-English-speaking clients, such signage shall be translated into appropriate languages. Such signs, or an additional sign, shall state that applicants/recipients may request aid or services in their primary language. Div. 21-107.212 |

C. Recommendation

The county is required to use the latest version of each of the referenced documents. For your information, the most recent version for each of the above referenced documents is:

| | | |
|--------------|--|-------|
| Pub 13 | "Your Rights under California Welfare Programs" | 08/16 |
| Pub 86 | "Everyone is Different, but Equal Under the Law" | 03/07 |
| Form AD 475B | "And Justice for All" | 12/15 |

Contact the Civil Rights Unit to receive the most recent versions, or download the Pub 13 from the CRB website

<http://www.cdss.ca.gov/civilrights/entres/forms/English/pub13.pdf>.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

A. Findings and Corrective Actions

1. Facility Location: 1867 Senter Rd, San Jose, CA 95112

| Facility Element | Findings | Corrective Action |
|------------------|---|--|
| Restroom | <p>Men's: Door pressure to open restroom door excessive at 13 lbs.</p> <p>Woman's: Door pressure to open restroom door excessive at 15 lbs.</p> | The force required to activate operable parts shall be 5 lbs. (CA T24 11B-309.4) (ADA 309.4) pg. 221 |
| Client lobby | <p>ADA accessible counter not compliant.</p> <p>Any counter that is offered as ADA compliant for people with wheelchairs must meet the requirements to the right.</p> | <p>The tops of dining surfaces and work surfaces shall be 28" min. and 34" max. above the finish floor or ground. (CA T24 11B.902.3) (ADA 902.3) pg. 316</p> <p>A portion of the counter surface that is 36" long min. and 34" high max. above the finish floor or ground shall be provided. (CA T24 11B-904.4.2) (ADA 904.4.2) pg. 323</p> <p>Knee and toe space complying with Section 32, Clear Floor or Ground Space for Wheelchairs</p> |

| Facility Element | Findings | Corrective Action |
|------------------|----------|--|
| | | <p>shall be provided under the counter. (CA T24 11B-904.4.2) (ADA 904.4.2) pg. 323</p> <p>A clear floor or ground space complying with Section 32, Clear Floor or Ground space for Wheelchairs shall be positioned for a forward approach to the counter. (CA T24 11B-904.4.2) (ADA 904.4.2) pg. 323</p> |

2. Facility Location: 1870 Senter Rd., San Jose, CA 95112

| Facility Element | Findings | Corrective Action |
|------------------|---|--|
| Client lobby | <p>ADA accessible counter not compliant.</p> <p>Any counter that is offered as ADA compliant for people with wheelchairs must meet the requirements to the right.</p> | <p>The tops of dining surfaces and work surfaces shall be 28" min. and 34" max. above the finish floor or ground. (CA T24 11B.902.3) (ADA 902.3) pg. 316</p> <p>A portion of the counter surface that is 36" long min. and 34" high max. above the finish floor or ground shall be provided. (CA T24 11B-904.4.2) (ADA 904.4.2) pg. 323</p> <p>Knee and toe space complying with Section 32, Clear Floor or Ground Space for Wheelchairs shall be provided under the counter (CA T24 11B-904.4.2) (ADA 904.4.2) pg. 323</p> <p>A clear floor or ground space complying with Section 32, Clear Floor or Ground space for Wheelchairs shall be</p> |

| Facility Element | Findings | Corrective Action |
|------------------|----------|---|
| | | positioned for a forward approach to the counter (CA T24 11B-904.4.2) (ADA 904.4.2) pg. 323 |

3. Facility Location: 1879 Senter Rd., San Jose, CA 95112

| Facility Element | Findings | Corrective Action |
|------------------|---|--|
| Restroom | Woman's: Door pressure to open restroom door excessive at 16 lbs. | The force required to activate operable parts shall be 5 lbs. (CA T24 11B-309.4) (ADA 309.4) pg. 221 |

4. Facility Location: 1888 Senter Rd., San Jose, CA 95112

| Facility Element | Findings | Corrective Action |
|------------------|--|--|
| Restroom | Men's: Door pressure to open restroom door excessive at 17 lbs. Woman's: Door pressure to open restroom door excessive at 18 lbs. | The force required to activate operable parts shall be 5 lbs. (CA T24 11B-309.4) (ADA 309.4) pg. 221 |

5. Facility Location: 373 W Julian St., San Jose, CA 95110

No findings at this location.

6. Facility Location: 379 Tomkins Ct., Gilroy, CA 95020

| Facility Element | Findings | Corrective Action |
|-------------------------|--|--|
| Restroom | <p>Men's: (downstairs) Soap dispenser too high at 42.5 inches.</p> <p>Woman's (downstairs): Soap dispenser too high at 49.5 inches.</p> <p>Woman's (upstairs): Soap dispenser too high at 49.5 inches.</p> <p>Men's: (downstairs) Soap dispenser too high at 50 inches</p> | <p>Where towel or sanitary napkin dispensers, waste receptacles, or other accessories are provided in toilet facilities, at least one of each type shall be located on an accessible route. (CA T24 11B-603.5) pg. 382</p> <p>All operable parts, including coin slots, shall be 40" max. above the finish floor. (CA T24 11B-603.5) pg. 382</p> |

V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages if the forms and materials are provided by

CDSS in that language, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

| Question | Yes | No | Comments |
|---|------------|-----------|--|
| Does the county identify a client's language need upon first contact? How? | | No | Priority seemed to be given to shortening the line/wait times, rather than identifying primary language. |
| Does the county use a primary language form? | | No | In the cases reviewed, there were some inconsistencies with the use of the county's language preference form; Form SCD 1264. Of the case files with the form, half were completely and properly filled out. Further, it was discovered that the county's language preference form is available in 27 different languages. When reviewing case files, the form was found in English and Spanish only. |
| Does the client self-declare on this form? | Yes | | The client is responsible for filling out the form and signing. In the case files with the language preference form, only half had the form filled out. |
| Are non-English- or limited-English-speaking clients provided bilingual services? | Yes | | Interpretive services are provided via certified bilingual staff. Telephone interpreters are provided via Voiance Language Services, their contracted telephone interpretive service. |

| Question | Yes | No | Comments |
|--|------------|-----------|---|
| After it has been determined that the client is Limited-English or non-English speaking, is there a county process for procuring an interpreter? | Yes | | The client's language is determined early on to ensure effective communication. When possible, clients are assigned a bilingual case worker in their preferred language. Further, some workers have access to a phone with dual headsets that allows the client and social worker to be on the phone simultaneously with the Voiance Language Services worker or any other certified interpreter within Santa Clara County. |
| Does the county have a contracted language line provider, a county interpreter list, or any other interpreter process? | Yes | | Santa Clara County uses Voiance Language Services as their contracted phone interpretive service. |
| Is there a delay in providing interpretive services? | Yes | | When observing in the different lobbies, first contact staff were not always prepared to offer services to the client. Some mentioned that they'd never used the county's language line. |
| Are county interpreters certified? | Yes | | Santa Clara County bilingual staff must be certified by the county to provide interpretive services to the public. |
| Does the county have adequate interpreter services? | Yes | | |
| Does the county allow minors to be interpreters? If so, under what circumstances? | | No | Applicants/recipients are prohibited from using minors as interpreters except under extenuating circumstances, |

| Question | Yes | No | Comments |
|---|-----|----|--|
| | | | such as determining the language of the adult so an appropriate interpreter or bilingual staff can be called. |
| Does the county allow the client to provide his or her own interpreter? | Yes | | Clients are first offered free county interpretive services. The option of using their own interpreter is then presented. |
| Does the county ensure that the client-provided interpreter understands what is being interpreted for the client? | Yes | | Santa Clara requires form SC 2326 to be signed if a client prefers to use their own interpreter. None were found during the review. |
| Does the county use a Release of Confidentiality Information form for client-provided interpreters? | Yes | | See comments above. |
| If there is not a Release of Confidentiality Information form, how and where is the client-provided interpreter documented? | | | n/a |
| Does the county use the CDSS-translated forms in the clients' primary languages? | Yes | | Forms found in the case files were distributed in the client's preferred language. |
| Is the information that is to be inserted into NOA translated into the client's primary language? | Yes | | |
| If language to be inserted into NOA is not available, is there a procedure to ensure information translated to client's primary language? | Yes | | Several uncommon languages were reviewed. In all cases, the worker ensured that the client understood the information being provide. The first way is to ensure someone in the household, typically an Authorized Representative |

| Question | Yes | No | Comments |
|--|-----|----|--|
| | | | being able to translate the form. The second way is to provide information in the client's preferred language instructing them to call the office if they had questions about the information they are receiving. |
| Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)? | Yes | | Auxiliary aids are available upon request. |
| Does the county identify a client with a disability (physical, mental, or learning)? | Yes | | Clients are always offered reasonable accommodation upon contact. The county also uses an identifying system that allows case workers to see immediately should a client's case be a special needs case. The gray check means no active special accommodations. The yellow triangle means one or more active special accommodations. The red indicator means one or more active sensitive information items. Clients can also disclose the information on their own. |
| Does the county assist clients with self-identifying a disability? | Yes | | See comments above. |

| Question | Yes | No | Comments |
|---|-----|----|---|
| Does the county have a policy and procedure in place for assisting clients with a disability (physical, mental, or learning)? | Yes | | |
| Does the county offer reasonable accommodations to clients with a disability (physical, mental, or learning)? | Yes | | Santa Clara County staff contact the Equal Opportunity Office for assistance in these accommodations. Further, they use technology, web based services, and other means of communication to ensure a client's needs are met. They also contract with local agencies to assist in determining and accommodating clients. |
| Does the county identify and assist the client who has learning disabilities or a client who cannot read or write? | Yes | | A review form titled "Need Additional Assistance" (SCD 2371) for special accommodations is to be used by the EW/Worker to obtain information pertaining to any additional help requested by the client due to a disability (physical, mental/emotional or learning), or other type of accommodation. The form functions as a triage form, soliciting responses to various questions. It should be made clear to clients that whether or not they disclose a disability is voluntary and they can always choose to disclose a disability, or request for a special accommodation, at a later time. If client discloses a |

| Question | Yes | No | Comments |
|--|-----|----|---|
| | | | disability during any first contact with any employee, the employee must immediately share the information with appropriate staff, who can take steps to explore a reasonable accommodation. |
| Does the county offer a screening for learning disabilities? | Yes | | See comments above. |
| Is there an established process for offering a screening? | Yes | | Staff have an obligation to determine whether client needs additional assistance due to a disability and to reach out to help them establish eligibility or maintain public benefits. When determining what reasonable accommodation to provide, staff must consider what the client expresses will best meet their needs and information from treating medical providers should be given consideration. For example, if client needs help completing the forms because he/she is illiterate as a result of a learning disability and does not understand the forms, the worker will assist the individual to complete the forms. |
| Is the client identified as having a learning disability referred for an evaluation? | Yes | | See comments above. |

B. Corrective Actions

| Area of Findings | Corrective Actions |
|---|--|
| Effective Services | Santa Clara County must develop and implement a policy that identifies the process to ensure effective services to applicants and recipients who are non-English speaking or who have disabilities. Div. 21-115 |
| Timely Services | Santa Clara County must ensure that bilingual/interpretive services are prompt and without undue delay. Div. 21-115 |
| Interpretive Services and Accessibility | Santa Clara County shall ensure that administrative practices do not have the effect of denying non-English speaking persons and individuals with disabilities equal access to and participation in the available programs and activities. Div. 21-115.3 |

a. Recommendation

During the review, several offices and several cubicles had a Voiance Language Services poster suggesting that the county can help the client in their preferred language. Oftentimes, the poster was not in plain sight thus making it difficult for county staff to effectively use the poster. In the offices that had multiple windows to service clients, there were only 1 or 2 posters for all of the windows. It would benefit both the county and the client to have those posters prominently displayed at each service window. This poster can assist Santa Clara staff in determining a client's preferred language upon contact.

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

| How item is Documented Item | Adult Programs (IHSS and/or APS) | CalWORKs & Employment Services | Non-Assistance CalFresh | Fraud | Children Services, Foster Care, and/or Kingap |
|--|---|---|---------------------------------------|--------------------------------------|--|
| Ethnic origin documentation | SCD 1265 CMIPS | SCD 1265 | SCD 1265 | SCD 1265 | SCD 1265 |
| Method of identifying client's primary language | SCD 1265 | SCD 1265 SAWS1 | SCD 1265 | SCD 1265 | SCD 1265 CWS/CMS |
| Method of documenting client's primary language | CMIPS | CalWIN Case Narrative | CalWIN Case Narrative | Case Narrative | CWS/CMS Case Narrative |
| Method of providing bilingual services and documentation | SCD 1265 CMIPS | SCD 1265 Case Narrative | SCD 1265 Case Narrative | Case Narrative | CWS/CMS Case Narrative |
| Client provided own interpreter | SCD 2326 CMIPS | SCD 2326 Case Narrative | SCD 2326 Case Narrative None Found | SCD 2326 None Found None Found | SCD 2326 CWS/CMS Case Narrative None Found |
| Method to inform client of potential problem using own interpreter | SCD 2326 | SCD 2326 | SCD 2326 None Found | SCD 2326 None Found | SCD 2326 None Found |
| Release of information to Interpreter | SCD 2326 None found in case files | SCD 2326 None found in case files | SCD 2326 None found in case files | SCD 2326 None found in case files | SCD 2326 None found in case files |

| How item is Documented Item | Adult Programs (IHSS and/or APS) | CalWORKs & Employment Services | Non-Assistance CalFresh | Fraud | Children Services, Foster Care, and/or Kingap |
|--|---|---|------------------------------------|--|--|
| Individual's acceptance or refusal of written material offered in primary language | SCD 1265 Case Narrative | SCD 1265 Case Narrative | SCD 1265 Case Narrative | SCD 1265 Case Narrative | SCD 1265 Case Narrative |
| Documentation of minor used as interpreter | Minors not used | Minors not used | Minors not used | Minors not used | Minors not used |
| Documentation of circumstances for using minor interpreter temporarily | N/A | N/A | N/A | N/A | N/A |
| Method of identifying client's disability | CMIPS Case narrative | CalWIN case flag | CalWIN case flag | Case Narrative None found in case files | CWS/CMS Case Narrative None found in case files |
| Method of documenting clients' disability (physical, mental, or learning) | CMIPS Case narrative | CalWIN case flag Case narrative | CalWIN case flag Case narrative | Case Narrative None found in case files | CWS/CMS Case Narrative None found in case files |
| Method of offering a reasonable accommodation to the client with disability | CMIPS Case narrative | CalWIN case flag Case narrative | CalWIN case flag Case narrative | Case Narrative None found in case files | CWS/CMS Case Narrative None found in case files |

| How item is Documented Item | Adult Programs (IHSS and/or APS) | CalWORKs & Employment Services | Non-Assistance CalFresh | Fraud | Children Services, Foster Care, and/or Kinship |
|---|---|---|---------------------------------|---|---|
| Method of documenting clients' reasonable accommodation | CMIPS Case narrative | CalWIN case flag Case narrative | CalWIN case flag Case narrative | Case Narrative None found in case files | CWS/CMS Case Narrative None found in case files |

B. Corrective Actions

| Areas of Action | Corrective Action |
|---|--|
| Documentation if client provided own interpreter | When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23 |
| Documentation of interpreter signed confidentiality statement | Consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.24 |
| Documentation of primary language | Each agency shall ensure that case record identification shows the applicant's/recipient's ethnic origin and primary language. Div. 21-201.21 |
| Documentation that bilingual services were provided | Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22 |

| Areas of Action | Corrective Action |
|-----------------|---|
| General | Santa Clara County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116 |

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights, cultural awareness, Section 504, and ADA training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

| Interview questions | Yes | No | Comments |
|--|-----|----|--|
| Are employees trained in the requirement of Section 504 and ADA? | Yes | | Staff are regularly trained and reminded of Division 21 requirements. |
| Do employees receive continued Division 21 Training? | Yes | | Training is mandatory for all social services employees, to be completed every 2 years |
| Do employees understand the county policy regarding a client's rights and procedure to follow when receiving a discrimination complaint? | Yes | | Everyone interviewed knew the process of informing their supervisor and/or the Civil Rights Coordinator. |
| Does the county provide employees Cultural Awareness Training? | Yes | | Training is mandatory for all social services employees, to be completed every 2 years |
| Do the CSW's have an understanding of Multi-Ethnic Placement Act (MEPA)? | Yes | | Professional Development Opportunities for Social Workers in Child Welfare listed on the Agency web |

| Interview questions | Yes | No | Comments |
|--|-----|----|--|
| | | | page are offered throughout the year. |
| Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area? | Yes | | Regular training in Santa Clara County help keep staff reminded of the importance of the service they provide to the public. |
| Does the county provide training on how to identify clients with disabilities (physical, mental & learning)? | Yes | | County staff commence their employment with the county with a 6-month induction training that includes this training. |
| Do employees receive training on reasonable accommodation for clients with disabilities? | Yes | | See comments above |
| Do the employees understand the county policy regarding a client's right to a reasonable accommodation? | Yes | | All staff interviewed understood the importance of client rights related to reasonable accommodation. |

B. Corrective Actions

None

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews, Civil Rights Coordinator, and Program Manager Surveys

| Interview and review areas | Yes | No | Findings |
|---|-----|----|--|
| Can the employees easily identify the difference between a program, discrimination, and a personnel complaint? | Yes | | All staff interviewed were aware of the procedure Santa Clara County has ensure valid discrimination complaints are identified and communicated to the Civil Rights Coordinator. |
| Do the employees know who the Civil Rights Coordinator is? | Yes | | |
| Do the employees know the location of the Civil Rights poster "Everyone is Equal... (Pub 86)" with information as to how and where the clients can file a discrimination complaint? | | No | Although county staff was aware of who the Civil Rights Coordinator is, they did not know where her information was located in the front lobby. |
| When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date? | Yes | | |

B. Corrective Action

| Element | Corrective Action |
|--------------------------|---|
| Civil Rights Coordinator | Santa Clara County shall ensure that staff is knowledgeable regarding contact information of the civil rights coordinator, at minimum, where the information can be located. Div. 21-117 and 21-107.21 |

IX. VENDOR CONTRACTS

Counties are required to ensure contracted services with contractors, vendors, consultants, and other providers of service, who receive state or federal assistance, include the assurance of compliance agreement.

A. Contracts Review

| | |
|---|----|
| Number of Contracts Reviewed | 10 |
| Number of Contracts w/Assurance of Compliance Agreement | 10 |

B. Corrective Action

None

X. CALL CENTER EVALUATION

County Call/Service Centers are evaluated to ensure services provided are nondiscriminatory toward non-English speaking clients and clients with a disability (physical, mental, or learning).

The county has a call center that services the Medi-Cal program only. The call center was not reviewed.

XI. COMMUNITY INPUT

As a part of this review, and as noted in Section II, feedback was sought from community and advocate groups. The following summarizes their observations, and will provide issues that the county management team can address to improve their operations from a civil rights perspective.

There was no response from community and advocate groups.

XII. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The Santa Clara Social Services Agency Civil Rights Compliance Plan for the period July 2014 through March 2017, was received on March 17, 2017. It is approved as submitted.

XIII. CONCLUSION

The CDSS reviewer found the Santa Clara Social Services Agency staff warm, welcoming, informative and very supportive. Particular thanks to Teresa Hayes, Civil Rights Coordinator, for organizing the details of the review. In each District Office, staff were very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the Santa Clara Social Services Agency in substantial compliance with CDSS Division 21 Regulations, and other applicable state and federal laws. County staff continues to reflect a commitment similar to that expressed by management with respect to ensuring access, assistance, and compliance.

The Santa Clara Social Services Agency must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule of all actions that will be taken to correct the deficiencies, and an indication of who will be responsible for implementing the corrective action.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.